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2021 SEP 6 PM 2:30

12 MAGISTERIUM

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA.

Case No. 2-21-MI-20775-VOT

Plaintiff,

Application to Seal

JOHN GLEN BURNETT.

(Under Seal)

Defendant.

JOHN GLEN BURNETT.

13 Defendant.

14

15 The United States of America, by and through Christopher Chiou, Acting United States
16 Attorney, and Bianca R. Pucci and Rachel Kent, Assistant United States Attorneys, respectfully
17 move this Honorable Court for an Order sealing the Complaint, Probable Cause Affidavit, Arrest
18 Warrant, AO257, this Application, and the Court's Sealing Order, in the above-captioned matter,
19 until such time as this Honorable Court, or another Court of competent jurisdiction, shall order
20 otherwise.

Pursuant to LR IA 10-5, the Government requests that the accompanying Complaint in this case be filed under seal. *See generally*, Fed. R. Crim. P. 6(e)(4) (permitting for the sealing of an indictment); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982) (supporting the sealing of a search warrant when there is reasonable cause to believe that providing immediate

1 notification may have adverse results); *Matter of Sealed Affidavit(s) to Search Warrants*, 600 F.2d
2 1256 (9th Cir. 1979) (same); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975) (same).
3 In this case, such an order would be appropriate because the Complaint and Affidavit relate to
4 an ongoing criminal investigation into violation(s) of 18 U.S.C. §§ 1591(a) and (b)(2) and 1594(a),
5 that is neither public nor known to all of the targets of the investigation and its disclosure may
6 alert the targets to the ongoing investigation and pending arrest warrant. Public disclosure of the
7 information in the Complaint might possibly jeopardize the investigation because Defendant
8 John Glen Burnett is not yet in custody. Although Burnett is generally aware of the investigation
9 and has spoken with investigators, he is unaware federal charges are being sought against him.
10 If he were to learn of the charges via an unsealed Complaint, he may take evasive measures or
11 destroy potential evidence, or both. Defendant Burnett's knowledge that an arrest warrant has
12 been issued against him may also increase risks to law enforcement in apprehending him.
13 Accordingly, there is reason to believe that disclosure of the information will jeopardize the
14 investigation, including by giving Burnett an opportunity to flee, destroy or tamper with evidence,
15 change patterns of behavior, or notify confederates.

16 DATED this 20th day of September, 2021.

17 Respectfully submitted,

18 CHRISTOPHER CHIOU
19 Acting United States Attorney

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22 BIANCA R. PUCCI
RACHEL KENT
23 Assistant United States Attorneys
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FILER
2021 SEP 20 PM 11:11 AM
U.S. DISTRICT COURT - NEVADA
Case No. 2:21-MJ-00777-VCF

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHN GLEN BURNETT,
Defendant.

Case No. 2:21-MJ-00777-VCF

Order to Seal

(Under Seal)

Based on the pending Application of the Government, and good cause appearing therefore, IT IS HEREBY ORDERED that the Complaint, the Probable Cause Affidavit, Arrest Warrant, AO257, the Government's Application, and this Court's Sealing Order, in the above-captioned matter shall be sealed until further Order of the Court.

IT IS FURTHER ORDERED THAT the Clerk's Office for the United States District Court for the District of Nevada must release the sealed complaint to the CJA Panel Resource Attorney, who may use the information in the sealed complaint for the sole purpose of securing defense counsel in a timely manner.

IT IS FURTHER ORDERED THAT, on the day of the arrest of the first defendant in this case, the CJA Resource Attorney may provide defense counsel a copy of the sealed complaint.

DATED this 20th day of September, 2021.


HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE